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Reporting Category

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Log No: 1086683 Type:U

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View 1	FACE SHEET	N/A	-	-	-	GRISSETT JR, JAMES	SEP-10-2017 01:26	-	-	-
View 2	CONFLICT CERTIFICATION	N/A	-	-	-	MARTINEZ, NORELIS	SEP-21-2017 12:01	-	-	-
View 3	GENERAL OFFENSE CASE REPORT	N/A	3	Original Case Report RD# JA425451	YES	MARTINEZ, NORELIS	SEP-27-2017 15:07	APPROVED	-	YES
View 4	TACTICAL RESPONSE REPORT (TRR)	N/A	3	Officer Jesse Oeinck #12561	YES	MARTINEZ, NORELIS	SEP-27-2017 15:09	APPROVED	-	YES
View 5	OFFICERS BATTERY REPORT	N/A	2	Officer Jesse Oeinck #12561	YES	MARTINEZ, NORELIS	SEP-27-2017 15:10	APPROVED	-	YES
View 6	INVENTORY SHEET	N/A	2	Inventory item 13999952 CPD shirt	YES	MARTINEZ, NORELIS	SEP-27-2017 15:13	APPROVED	-	YES
View 7	INVENTORY SHEET	N/A	2	Inventory number 13999822 CPD uniform pants	YES	MARTINEZ, NORELIS	SEP-27-2017 15:14	APPROVED	-	YES
View 8	INVENTORY SHEET	N/A	2	Inventory number 13999793 one black and white shoe with blood on the bottom	YES	MARTINEZ, NORELIS	SEP-27-2017 15:16	APPROVED	-	YES
View 9	INVENTORY SHEET	N/A	2	Inventory number 13999517 dvd-r containing crime scene video	YES	MARTINEZ, NORELIS	SEP-27-2017 15:17	APPROVED	-	YES
View 10	INVENTORY SHEET	N/A	2	Inventory number 13999783 "bloody" plastic cell phone charging case	YES	MARTINEZ, NORELIS	SEP-27-2017 15:18	APPROVED	-	YES
View 11	INVENTORY SHEET	N/A	2	Inventory number 13999820	YES	MARTINEZ, NORELIS	SEP-27-2017 15:18	APPROVED	-	YES
View 12	INVENTORY SHEET	N/A	2	Inventory number 13999788 swab box containing two swabs used to swab the blood on the street pavement near the Honda	YES	MARTINEZ, NORELIS	SEP-27-2017 15:20	APPROVED	-	YES
View 13	INVENTORY SHEET	N/A	2	Inventory number 13999811 Firearm, ammo, magazine	YES	MARTINEZ, NORELIS	SEP-27-2017 15:21	APPROVED	-	YES
View 14	INVENTORY SHEET	N/A	2	Inventory number 13999803 fired bullet stuck to a rear spare tire of black Jeep	YES	MARTINEZ, NORELIS	SEP-27-2017 15:22	APPROVED	-	YES
View 15	INVENTORY SHEET	N/A	2	Inventory number 13999774	YES	MARTINEZ, NORELIS	SEP-27-2017 15:23	APPROVED	-	YES
View 16	TRAFFIC CRASH REPORT	N/A	1	Department vehicle crash/damage report number JA425575	YES	MARTINEZ, NORELIS	SEP-27-2017 15:23	APPROVED	-	YES
View 17	TRAFFIC CRASH REPORT	N/A	1	Traffic Crash Report JA425575	YES	MARTINEZ, NORELIS	SEP-27-2017 15:25	APPROVED	-	YES
View 18	TRAFFIC CRASH REPORT	N/A	3	Traffic Crash Report pt 2 JA425575	YES	MARTINEZ, NORELIS	SEP-27-2017 15:26	APPROVED	-	YES
View 19	CRIME SCENE PROCESSING REPORT	N/A	2	Crime Scene Processing Report Number JA425451	YES	MARTINEZ, NORELIS	SEP-27-2017 15:27	APPROVED	-	YES
View 20	INVENTORY SHEET	N/A	3	Various inventory numbers relative to items collected at the scene	YES	MARTINEZ, NORELIS	SEP-27-2017 15:28	APPROVED	-	YES
View 21	ATTENDANCE AND ASSIGNMENT RECORD	N/A	1	A&A Sheet for 025th District, 1st watch, Officer's Oeinck and Vitellaro on September 10, 2017.	YES	MARTINEZ, NORELIS	SEP-27-2017 15:29	APPROVED	-	YES
View 22	REPORT (OTHER)	N/A	2	Request for BWC & ICC Video	YES	MARTINEZ, NORELIS	SEP-27-2017 15:30	APPROVED	-	YES

View	23	REPORT (OTHER)	N/A	2	Second request for BWC & ICC video	YES	MARTINEZ, NORELIS	SEP-27-2017 15:31	APPROVED -	YES
View	24	REPORT (OTHER)	N/A	1	ISP Evidence Inventory Receipt regarding vehicle keys of Mr. [REDACTED] Field Report number 6360-17-1036	YES	MARTINEZ, NORELIS	SEP-27-2017 15:32	APPROVED -	YES
View	25	REPORT (OTHER)	N/A	1	To From memo RE: Subject Vehicle Processing & Photographs	YES	MARTINEZ, NORELIS	SEP-27-2017 15:33	APPROVED -	YES
View	26	REPORT (OTHER)	N/A	1	To From RE Stop Work Order on CPD Vehicle	YES	MARTINEZ, NORELIS	SEP-27-2017 15:33	APPROVED -	YES
View	27	REPORT (OTHER)	N/A	2	To From of Inv White regarding Processing of Involved Officer's Firearm	YES	MARTINEZ, NORELIS	SEP-27-2017 15:34	APPROVED -	YES
View	28	EVIDENCE SHEET	N/A	1	Evidence Tech sketch of the crime scene area	YES	MARTINEZ, NORELIS	SEP-27-2017 15:35	APPROVED -	YES
View	29	LEADS RESPONSE	N/A	1	results of Leads search for subject vehicle (Honda Pilot)	YES	MARTINEZ, NORELIS	SEP-27-2017 15:36	APPROVED -	YES
View	30	REPORT (OTHER)	N/A	1	To From RE Crime Scene Photographs taken by Inv. Andrew Dalkin	YES	MARTINEZ, NORELIS	SEP-27-2017 15:37	APPROVED -	YES
View	31	PHOTOGRAPH	N/A	1	I-Phone Photos taken at the scene	YES	MARTINEZ, NORELIS	SEP-27-2017 16:26	APPROVED -	YES
View	32	REPORT (OTHER)	N/A	2	To From of Inv A. Smajo regarding Response to hospital to witness transport of [REDACTED]	YES	MARTINEZ, NORELIS	SEP-27-2017 15:38	APPROVED -	YES
View	33	INJURY TO POLICE OFFICER	N/A	3	Injury on duty report for Officer Oeinck	YES	MARTINEZ, NORELIS	SEP-27-2017 15:39	APPROVED -	YES
View	34	SEARCH WARRANT	N/A	4	Search Warrant Request	YES	MARTINEZ, NORELIS	SEP-27-2017 15:40	APPROVED -	YES
View	35	SEARCH WARRANT	N/A	1	Signed Search Warrant	YES	MARTINEZ, NORELIS	SEP-27-2017 15:40	APPROVED -	YES
View	36	REPORT (OTHER)	N/A	1	Evidence Submission Form completed by COPA Evidence Specialist AnnMarie K for ISP testing	YES	MARTINEZ, NORELIS	SEP-27-2017 15:41	APPROVED -	YES
View	37	IAD SYNOPSIS REPORT	N/A	6	report of shots fired by police with hits and results of Officer Oeinck's Breath Alcohol Concentration test results	YES	MARTINEZ, NORELIS	SEP-27-2017 15:42	APPROVED -	YES
View	38	CONSENT TO SEARCH FORM	N/A	1	signed consent to search the subject vehicle (Honda Pilot)	YES	MARTINEZ, NORELIS	SEP-27-2017 15:43	APPROVED -	YES
View	39	REPORT (OTHER)	N/A	1	Preservation order for Honda license plate	YES	MARTINEZ, NORELIS	SEP-27-2017 15:44	APPROVED -	YES
View	40	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	2	Consent to record interview for witness [REDACTED]	YES	MARTINEZ, NORELIS	SEP-27-2017 15:45	APPROVED -	YES
View	41	AUDIO INTERVIEW	N/A	1	Interview of [REDACTED]	YES	MARTINEZ, NORELIS	SEP-27-2017 16:26	APPROVED -	YES
View	42	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	2	Consent to record interview for witness [REDACTED]	YES	MARTINEZ, NORELIS	SEP-27-2017 15:46	APPROVED -	YES
View	43	AUDIO INTERVIEW	N/A	1	Interview of [REDACTED]	YES	MARTINEZ, NORELIS	SEP-27-2017 16:27	APPROVED -	YES
View	44	REQUEST FOR PHOTOS	N/A	2	Request for crime scene photographs	YES	MARTINEZ, NORELIS	SEP-27-2017 15:47	APPROVED -	YES
View	45	PHOTOGRAPH	N/A	1	Crime Scene Photographs taken by CPD	YES	MARTINEZ, NORELIS	SEP-27-2017 16:28	APPROVED -	YES
View	46	O.E.M.C. (OEMC) REQUEST/HOLD	N/A	2	OEMC Request	YES	MARTINEZ, NORELIS	SEP-27-2017 15:48	APPROVED -	YES
View	47	REPORT (OTHER)	N/A	2	PDT Request	YES	MARTINEZ, NORELIS	SEP-27-2017 15:48	APPROVED -	YES
View	48	REPORT (OTHER)	N/A	2	CFD request for emergency calls	YES	MARTINEZ, NORELIS	SEP-27-2017 15:49	APPROVED -	YES
View	49	OEMC EVENT QUERY	N/A	15	Event Number 1725300689	YES	MARTINEZ, NORELIS	SEP-27-2017 15:49	APPROVED -	YES
View	50	OEMC EVENT QUERY	N/A	3	Event Number 1725300954	YES	MARTINEZ, NORELIS	SEP-27-2017 15:51	APPROVED -	YES
View	51	OEMC EVENT QUERY	N/A	3	Event Number 1725300947	YES	MARTINEZ, NORELIS	SEP-27-	APPROVED -	YES

							NORELIS	2017 15:51		
View	52	OEMC EVENT QUERY	N/A	2	Event Number 1725300732	YES	MARTINEZ, NORELIS	SEP-27- 2017 15:52	APPROVED -	YES
View	53	OEMC EVENT QUERY	N/A	3	Event Number 1725300710	YES	MARTINEZ, NORELIS	SEP-27- 2017 15:53	APPROVED -	YES
View	54	OEMC EVENT QUERY	N/A	3	Event Number 1725300375	YES	MARTINEZ, NORELIS	SEP-27- 2017 15:54	APPROVED -	YES
View	55	REPORT (OTHER)	N/A	2	To From of Inv Emily Peirce regarding Postmortem examination of [REDACTED] at Medical Examiner's Office	YES	MARTINEZ, NORELIS	SEP-27- 2017 15:55	APPROVED -	YES
View	56	PHOTOGRAPH	N/A	1	Disk in file - Medical Examiner Photos	YES	MARTINEZ, NORELIS	SEP-27- 2017 16:30	APPROVED -	YES
View	57	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	Disk in file - OEMC Calls radio transmissions between OEMC dispatch and CPD, file number 425451, 1:01:11 in length	YES	MARTINEZ, NORELIS	SEP-27- 2017 16:31	APPROVED -	YES
View	58	AUDIO INTERVIEW	N/A	1	Disk in file - Interview of Officer Vitellaro	YES	MARTINEZ, NORELIS	SEP-27- 2017 16:32	APPROVED -	YES
View	59	VIDEO RECORDING	N/A	1	Disk in file - In Car Camera footage	YES	MARTINEZ, NORELIS	SEP-27- 2017 16:33	APPROVED -	YES
View	60	AUDIO RECORDING	N/A	1	radio transmissions between OEMC dispatch and CPD, file number 425451, 1:01:11 in length	YES	MARTINEZ, NORELIS	OCT-05- 2017 10:27	APPROVED -	YES
View	61	AUDIO RECORDING	N/A	1	911 call file number JA425451-1, 1:17 in length	YES	MARTINEZ, NORELIS	OCT-05- 2017 10:28	APPROVED -	YES
View	62	AUDIO RECORDING	N/A	1	911 call, file number JA425451, 1:39 in length	YES	MARTINEZ, NORELIS	OCT-05- 2017 10:33	APPROVED -	YES
View	63	CANVASS SHEETS	N/A	6	Canvass sheets	YES	MARTINEZ, NORELIS	MAY-16- 2018 09:48	APPROVED -	YES
View	64	SHOOTING (ROUNDTABLE) REPORT	N/A	3	Post shooting, round table report	YES	MARTINEZ, NORELIS	OCT-12- 2017 10:33	APPROVED -	YES
View	65	REPORT (OTHER)	N/A	1	Request for autopsy report of [REDACTED] from the ME offices	YES	MARTINEZ, NORELIS	OCT-12- 2017 10:59	APPROVED -	YES
View	66	POSTMORTEM REPORT	N/A	16	Postmortem examination report of [REDACTED] case number 2017-04242	YES	MARTINEZ, NORELIS	MAY-16- 2018 10:04	APPROVED -	YES
View	67	OEMC EVENT QUERY	N/A	6	Chicago Fire Department Event Query Report and Audio Research Log	YES	MARTINEZ, NORELIS	MAY-16- 2018 12:33	APPROVED -	YES
View	68	AUDIO RECORDING	N/A	1	OEMC Audio Transmissions - OEMC FILE #C032033-092817	YES	MARTINEZ, NORELIS	MAY-16- 2018 12:36	APPROVED -	YES
View	69	PHOTOGRAPH	N/A	1	Disc of photographs taken of the suspect vehicle ([REDACTED] Honda Pilot) taken by ISP	YES	MARTINEZ, NORELIS	MAY-18- 2018 08:50	APPROVED -	YES
View	70	PHOTOGRAPH	N/A	1	Disc of photographs taken of the victim vehicle (CPD vehicle occupied by Officer Jesse Oeinck) taken by ISP	YES	MARTINEZ, NORELIS	MAY-18- 2018 08:52	APPROVED -	YES
View	71	TO/FROM REPORT	N/A	1	TO From submitted by COPA Evidence Specialist AnnMarie Kurylowicz regarding evidence transfer from ISP to CPD Homan St	YES	MARTINEZ, NORELIS	MAY-18- 2018 09:25	APPROVED -	YES
View	72	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	7	Illinois State Police - Department of Forensic Services CALMS History for ISP Crime Scene #6360-17-1036	YES	MARTINEZ, NORELIS	MAY-18- 2018 09:37	APPROVED -	YES
View	73	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	2	Illinois State Police Laboratory Report for Case Number C17-017611 regarding evidence received under Inventory Number 14011368	YES	MARTINEZ, NORELIS	MAY-18- 2018 09:57	APPROVED -	YES
View	74	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	2	Illinois State Police Laboratory Report Case Number C17-017611 regarding evidence received under Inventory Number 13999811	YES	MARTINEZ, NORELIS	MAY-18- 2018 09:42	APPROVED -	YES
View	75	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	2	Illinois State Police report regarding evident received by the Forensic Science Center at Chicago for Laboratory Case Number C17-018420	YES	MARTINEZ, NORELIS	MAY-18- 2018 10:12	APPROVED -	YES
View	76	REPORT (OTHER)	N/A	1	Evidence Submission Form completed by COPA Evidence Specialist AnnMarie K for ISP testing	YES	MARTINEZ, NORELIS	MAY-18- 2018 10:28	APPROVED -	YES
View	77	SWORN AFFIDAVIT - NOT REQUIRED	N/A	1	Affidavit In Lieu of Court Appearance submitted by ISP Forensic Scientist Adrienne A. Hirsch regarding Laboratory Case Number C17-017611	YES	MARTINEZ, NORELIS	MAY-18- 2018 10:32	APPROVED -	YES
View	78	REPORT (OTHER)	N/A	3	In Car Camera and Body Worn Camera request submitted to CPD record services division	YES	MARTINEZ, NORELIS	MAY-18- 2018 10:35	APPROVED -	YES
View	79	O.E.M.C. (OEMC) REQUEST/HOLD	N/A	1	OEMC Request Number C032033	YES	MARTINEZ, NORELIS	MAY-18- 2018	APPROVED -	YES

View	80	P.C.A.D. (PCAD) REPORTS	N/A	2	OEMC PDT Messages Report from 10-SEP-2017 00:30:00 through 10-SEP-2017 02:00:00	YES	MARTINEZ, NORELIS	10:44 MAY-18-2018 10:49	APPROVED -	YES
View	81	REPORT (OTHER)	N/A	1	Legal Hold Notice for the in car camera footage related to Event Number 1725300689, Legal Hold ID 18745	YES	MARTINEZ, NORELIS	MAY-18-2018 10:55	APPROVED -	YES
View	82	REPORT (OTHER)	N/A	1	Legal Hold Notice for the in car camera footage related to Event Number 1725300689, Legal Hold ID 18748	YES	MARTINEZ, NORELIS	MAY-18-2018 10:56	APPROVED -	YES
View	83	REPORT (OTHER)	N/A	5	CPD Report with results of the search for the Body Worn Camera and In Car Camera footage related to RD #: JA425451	YES	MARTINEZ, NORELIS	MAY-18-2018 11:09	APPROVED -	YES
View	84	REPORT (OTHER)	N/A	5	Request to West Suburban Hospital for [REDACTED] Medical Records	YES	MARTINEZ, NORELIS	MAY-18-2018 11:20	APPROVED -	YES
View	85	MEDICAL RECORDS	N/A	5	Medical Records received from West Suburban Medical Center regarding [REDACTED]	YES	MARTINEZ, NORELIS	AUG-16-2018 14:31	APPROVED -	YES
View	86	REPORT (OTHER)	N/A	5	Request to Illinois Masonic Hospital for Ofc Jesse Oeinck Medical Records	YES	MARTINEZ, NORELIS	MAY-18-2018 11:22	APPROVED -	YES
View	87	MEDICAL RECORDS	N/A	47	Medical records of Officer Jesse Oeinck provided by Illinois Masonic Hospital	YES	MARTINEZ, NORELIS	MAY-30-2018 09:39	APPROVED -	YES
View	88	O.E.M.C. (OEMC) TRANSMISSIONS	N/A	1	Disc containing the 911 calls made by [REDACTED] prior driving to 2112 N Laramie Ave as well as all of the OEMC transmissions related to the incident	YES	MARTINEZ, NORELIS	MAY-18-2018 14:38	APPROVED -	YES
View	89	VIDEO RECORDING	N/A	1	Video recorded statement of witness, [REDACTED] taken by CPD detective Hector Matias	YES	MARTINEZ, NORELIS	MAY-29-2018 09:29	APPROVED -	YES
View	90	CERTIFIED MAIL RECEIPT	N/A	1	Certified Mail Receipt to Illinois Masonic requesting medical records for Officer Jesse Oeinck	YES	MARTINEZ, NORELIS	MAY-29-2018 10:43	APPROVED -	YES
View	91	CERTIFIED MAIL RECEIPT	N/A	1	Certified Mail Receipt to West Suburban Hospital for the Medical Records for [REDACTED]	YES	MARTINEZ, NORELIS	MAY-29-2018 11:03	APPROVED -	YES
View	92	REPORT (OTHER)	N/A	8	Ambulance Report Request for Jesse Oeinck and [REDACTED]	YES	MARTINEZ, NORELIS	MAY-29-2018 11:28	APPROVED -	YES
View	93	AMBULANCE REPORT/SHEET	N/A	2	Ambulance report provided by CFD of Officer Jesse Oeinck	YES	MARTINEZ, NORELIS	JUN-11-2018 10:13	APPROVED -	YES
View	94	AMBULANCE REPORT/SHEET	N/A	7	Ambulance report provided by CFD for [REDACTED]	YES	MARTINEZ, NORELIS	JUN-11-2018 10:17	APPROVED -	YES
View	95	EMAIL	N/A	1	Email from COPA Attorney, Jill Lueke, regarding civil case pertaining to Log 1086683	YES	MARTINEZ, NORELIS	MAY-31-2018 09:54	APPROVED -	YES
View	96	MEDICAL RECORDS	N/A	92	Supplemental medical records received from Illinois Masonic for Officer Jesse Oeinck	YES	MARTINEZ, NORELIS	JUN-08-2018 11:59	APPROVED -	YES
View	97	AUDIO INTERVIEW	N/A	1	Audio recorded statement of Officer Jesse Oeinck	YES	MARTINEZ, NORELIS	JUN-08-2018 13:15	APPROVED -	YES
View	98	ADMINISTRATIVE PROCEEDINGS RIGHTS	N/A	1	Compelled statement rights signed by Officer Jesse Oeinck	YES	MARTINEZ, NORELIS	JUN-11-2018 12:48	APPROVED -	YES
View	99	CRIME SCENE PROCESSING REPORT	N/A	7	Crime Scene Processing Report Number 347422 submitted by Officer Paul Presnell #17122 on 14 SEPTEMBER 2017	YES	MARTINEZ, NORELIS	JUN-11-2018 12:53	APPROVED -	YES
View	100	CRIME SCENE PROCESSING REPORT	N/A	2	Crime Scene Processing Report Number 347443 submitted by Officer Kenneth Krupa #7764 on 11 SEPTEMBER 2017	YES	MARTINEZ, NORELIS	JUN-11-2018 12:57	APPROVED -	YES
View	101	SUPPLEMENTAL SUMMARY REPORT	N/A	1	Supplementary Report submitted by Officer Antonio Fregoso #12558 on 10 SEPTEMBER 2017	YES	MARTINEZ, NORELIS	JUN-11-2018 13:00	APPROVED -	YES
View	102	SUPPLEMENTAL SUMMARY REPORT	N/A	1	Supplementary Report submitted by Officer Victor Newman #6517 on 10 SEPTEMBER 2017	YES	MARTINEZ, NORELIS	JUN-11-2018 13:06	APPROVED -	YES
View	103	DETECTIVE SUPPLEMENTARY REPORT	N/A	6	Case Supplementary Report submitted by Det. Hector Matias #20897 (CANVASS) on 17 MARCH 2018	YES	MARTINEZ, NORELIS	JUN-11-2018 13:11	APPROVED -	YES
View	104	DETECTIVE SUPPLEMENTARY REPORT	N/A	3	Case Supplementary Report submitted by Det. Hector Matias #20897 on 17 MARCH 2018 (SUSPENDED Case Report Pending COPS's Investigation)	YES	MARTINEZ, NORELIS	JUN-11-2018 14:44	APPROVED -	YES
View	105	DETECTIVE SUPPLEMENTARY REPORT	N/A	3	Case Supplementary Report submitted by Officer James Gillespie #21289 (FIELD INVESTIGATION METHOD/CAU CODE REPORT) on 12 SEPTEMBER 2017	YES	MARTINEZ, NORELIS	JUN-11-2018 14:48	APPROVED -	YES
View	106	DETECTIVE SUPPLEMENTARY REPORT	N/A	18	Case Supplementary Report submitted by Det. Hector Matias #20897 (FIELD INVESTIGATION PROGRESS-VIOLENT SCENE REPORT) on 19 MARCH 2018	YES	MARTINEZ, NORELIS	JUN-12-2018 08:40	APPROVED -	YES

View	107	DETECTIVE SUPPLEMENTARY REPORT	N/A	8	Case Supplementary Report submitted by Officer Robert Nunn #13732 (FIELD INVESTIGATION PROGRESS REPORT) on 13 JANUARY 2018	YES	MARTINEZ, NORELIS	JUN-11-2018 14:53	APPROVED -	YES
View	108	DETECTIVE SUPPLEMENTARY REPORT	N/A	4	Case Supplementary Report submitted by Det. Hector Matias #20897 (FIELD INVESTIGATION PROGRESS REPORT) on 17 MARCH 2018	YES	MARTINEZ, NORELIS	JUN-12-2018 08:53	APPROVED -	YES
View	109	DETECTIVE SUPPLEMENTARY REPORT	N/A	4	Case Supplementary Report submitted by Officer Daniel Gillespie #20970 (CANVASS) on 12 SEPTEMBER 2017	YES	MARTINEZ, NORELIS	JUN-12-2018 08:36	APPROVED -	YES
View	110	DETECTIVE SUPPLEMENTARY REPORT	N/A	6	Case Supplementary Report submitted by Det. Hector Matias #20897 (LAB REPORT) on 17 MARCH 2018	YES	MARTINEZ, NORELIS	JUN-11-2018 15:06	APPROVED -	YES
View	111	DETECTIVE SUPPLEMENTARY REPORT	N/A	5	Case Supplementary Report submitted by Det. Hector Matias #20897 (LAB REPORT) on 17 MARCH 2018	YES	MARTINEZ, NORELIS	JUN-11-2018 15:08	APPROVED -	YES
View	112	DETECTIVE SUPPLEMENTARY REPORT	N/A	5	Case Supplementary Report submitted by Det. Hector Matias #20897 (LAB REPORT) on 17 MARCH 2018	YES	MARTINEZ, NORELIS	JUN-12-2018 09:47	APPROVED -	YES
View	113	REPORT (OTHER)	N/A	4	Major Incident Notification Detail (MIN Report). Incident Number 84810.	YES	MARTINEZ, NORELIS	JUN-18-2018 10:17	APPROVED -	YES
View	114	VIDEO RECORDING	N/A	2	Two (2) discs containing body worn camera and in car camera footage from involved and responding officers	YES	MARTINEZ, NORELIS	JUN-22-2018 10:51	APPROVED -	YES
View	115	REPORT (OTHER)	N/A	4	Transcript of Officer Jesse Oeinck's statement Pt 1 of 2	YES	MARTINEZ, NORELIS	AUG-17-2018 09:28	APPROVED -	YES
View	116	REPORT (OTHER)	N/A	46	Transcript of Officer Jesse Oeinck's statement Pt 2 of 2	YES	MARTINEZ, NORELIS	AUG-17-2018 09:29	APPROVED -	YES
View	117	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	5	ISP Forensics Case Report authored by Crime Scene Investigator Leslee Nissen	YES	MARTINEZ, NORELIS	AUG-17-2018 11:58	APPROVED -	YES
View	118	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	23	ISP Crime Scene Investigation checklist, authored by ISP Crime Scene Investigator Leslee Nissen	YES	MARTINEZ, NORELIS	AUG-17-2018 12:01	APPROVED -	YES
View	119	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	3	ISP Forensics Supplemental Case Report authored by Crime Scene Investigator Leslee Nissen	YES	MARTINEZ, NORELIS	AUG-17-2018 12:32	APPROVED -	YES
View	120	ILLINOIS STATE POLICE FORENSIC SCIENCE CENTER (REPORT)	N/A	7	ISP Crime Scene Investigation checklist, authored by ISP Crime Scene Investigator Leslee Nissen	YES	MARTINEZ, NORELIS	AUG-17-2018 12:34	APPROVED -	YES
View	121	REPORT (OTHER)	N/A	47	Transcript of Officer Richard Vitellaro statement	YES	MARTINEZ, NORELIS	SEP-11-2018 12:09	APPROVED -	YES
View	122	REPORT (OTHER)	N/A	2	Investigative Log	YES	MARTINEZ, NORELIS	OCT-23-2018 11:19	APPROVED -	YES
View	-	SUMMARY REPORT	N/A	14	Reviewed by Acting Supervising Investigator Chantall Morley	NO	HAYES, SHANNON	OCT-23-2018 12:21	APPROVED -	YES

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Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents

[TIP](#) Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

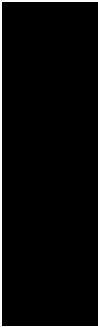
Log No./Tracking No.	Type	Comments
104863	RELATED - TACTICAL RESPONSE REPORT	RD No.JA425451 - Event No.1725300689 - CB No.
1086683	RELATED - INCIDENT LOG NO.	-

row(s) 1 - 2 of 2

Status History

[TIP](#) Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED AT C.O.P.A.	25-OCT-2018 12:20	KERSTEN, ANDREA	DEPUTY CHIEF ADMINISTRATOR	██████	113 / -	-
CLOSED/FINAL	25-OCT-2018 12:19	KERSTEN, ANDREA	DEPUTY CHIEF ADMINISTRATOR	██████	113 / -	-
PENDING C.O.P.A. COORDINATOR REVIEW	23-OCT-2018 12:24	HAYES, SHANNON	SUPERVISING INV COPA	██████	113 / -	-
PENDING INVESTIGATIVE REVIEW	23-OCT-2018 11:20	MARTINEZ, NORELIS	INVESTIGATOR	██████	113 / -	-
PENDING INVESTIGATION	26-MAR-2018 16:04	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR	██████	113 / -	-
PENDING ASSIGN INVESTIGATOR	26-MAR-2018 16:03	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR	██████	113 / -	-
PENDING INVESTIGATION	26-MAR-2018 16:02	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR	██████	113 / -	-
PENDING ASSIGN INVESTIGATOR	26-MAR-2018 16:01	WESTENSEE, JAY	DEPUTY CHIEF ADMINISTRATOR	██████	113 / -	-
PENDING INVESTIGATION	21-SEP-2017 12:00	COLEMAN, ROBERT	INVESTIGATOR	██████	113 / -	-
PENDING ASSIGN INVESTIGATOR	21-SEP-2017 11:24	OLVERA, MARIA	SUPERVISING INV COPA	██████	113 / -	-



PENDING ASSIGN TEAM	11-SEP-2017 12:50	DEAN, BRUCE	SUPERVISING INV COPA
PENDING SUPERVISOR REVIEW	11-SEP-2017 12:50	DEAN, BRUCE	SUPERVISING INV COPA
PRELIMINARY	11-SEP-2017 12:49	DEAN, BRUCE	SUPERVISING INV COPA
PRELIMINARY	11-SEP-2017 12:47	DEAN, BRUCE	SUPERVISING INV COPA
PRELIMINARY	11-SEP-2017 12:43	DEAN, BRUCE	SUPERVISING INV COPA
PENDING SUPERVISOR REVIEW	11-SEP-2017 10:46	WHITE, LAKENYA	INTAKE AIDE
PRELIMINARY	11-SEP-2017 10:03	WHITE, LAKENYA	INTAKE AIDE
PRELIMINARY	11-SEP-2017 10:03	WHITE, LAKENYA	INTAKE AIDE
PRELIMINARY	11-SEP-2017 08:59	OLVERA, MARIA	SUPERVISING INV COPA
PRELIMINARY	11-SEP-2017 08:42	OLVERA, MARIA	SUPERVISING INV COPA
PRELIMINARY	10-SEP-2017 01:26	GRISSETT JR, JAMES	POLICE OFFICER

113 / -	-
113 / -	-
113 / -	-
113 / -	-
113 / -	return
113 / -	-
113 / -	-
113 / -	-
113 / -	-
113 / -	-
116 / -	-

row(s) 1 - 21 of 21

Command Channel Reviewers

No Command Channel Reviewers have been assigned.



SUMMARY REPORT OF INVESTIGATION¹**I. EXECUTIVE SUMMARY**

Date of Incident:	September 10, 2017
Time of Incident:	12:50 a.m.
Location of Incident:	██████████ Chicago IL
Date of COPA Notification:	September 10, 2017
Time of COPA Notification:	1:26 a.m.

On September 10, 2017, Officers Richard Vitellaro (“Officer Vitellaro”), star #17430 and Jesse Oeinck (“Officer Oeinck”), star #12561 were on routine patrol in a marked Chicago Police Department (“CPD”) SUV vehicle, in a two-man car, working Beat #2533R. Officers Vitellaro and Oeinck observed ██████████ driving a Honda Pilot without its headlights on near the intersection of Grand and Armitage Avenues. Officer Vitellaro, who was the driver, made a U-turn to head in the same direction as ██████████ but lost sight of ██████████. Officers Vitellaro and Oeinck began searching for ██████████ and gained sight of ██████████ at Palmer Avenue. Officers Vitellaro and Oeinck began driving behind ██████████ as he accelerated westbound down an alley north of Grand Avenue. ██████████ turned northbound onto Laramie Avenue then turned into a driveway located at 2110 N. Laramie Avenue. Officers Vitellaro and Oeinck stopped their CPD vehicle, which was facing north on Laramie Avenue, and exited. As Officer Oeinck exited, he walked towards the front of the CPD vehicle when ██████████ suddenly reversed the Honda Pilot striking Officer Oeinck and pinning Officer Oeinck between the back end of the Honda Pilot and the front right hood of the CPD vehicle. ██████████ continued driving the Honda Pilot in reverse and spun the vehicle from facing west to facing east on Laramie Avenue, pinning Officer Oeinck between the front end of the CPD vehicle and the passenger side of the Honda Pilot. While still pinned between the two vehicles, Officer Oeinck fired five (5) times into the passenger side window of ██████████ vehicle, fatally striking ██████████. COPA’s investigation demonstrates that Officer Oeinck’s use of deadly force complied with CPD policy.²

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

² Allegations of failure to take appropriate police action and failure to follow radio procedures, which resulted from the hours leading up to this incident, are addressed under log number 1086814.

II. INVOLVED PARTIES

Involved Officer #1:	OEINCK, Jesse, star #12561, employee ID# [REDACTED] Date of Appointment 04/06/2015, Police Officer, Unit of Assignment 025, DOB: [REDACTED] Male, White
Involved Individual #1:	[REDACTED] DOB: [REDACTED] Male, Hispanic

III. ALLEGATIONS

Any discharge of an officer's firearm results in a mandatory notification to COPA. This investigation was initiated pursuant to such notification. However, COPA determined evidence did not exist which would require allegations of excessive force against Officer Oeinck.

IV. APPLICABLE RULES AND LAWS

General Orders

1. General Order 03-02-03³

Federal Laws

1. The Fourth Amendment to the United States Constitution

State Laws

1. Illinois State Statute, 720 ILCS 5/7-5 (1986)

V. INVESTIGATION⁴**a. Interviews****Police Interviews****1. Officer Richard Vitellaro**

In an interview with IPRA on September 11, 2017, witness Officer Richard Vitellaro, #12561 stated that on September 10, 2017, he was on routine patrol with Officer Jesse Oeinck near the intersection of Grand and Armitage Avenues. Officer Vitellaro was driving a marked CPD vehicle and Officer Oeinck was the passenger. Officer Vitellaro stated at approximately 12:45 a.m., he was driving east bound on Grand Avenue when he observed a silver Honda Pilot without its headlights on, now known to be driven by [REDACTED] heading northwest on Grand and Armitage Avenues. Officer Vitellaro stated he began making a U-turn and once completed, the Honda Pilot

³ This report references the version of the order in effect on September 10, 2017.

⁴ COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

was no longer in sight. Officer Vitellaro stated he turned north onto Leclaire Avenue then west onto Palmer Avenue. Officer Vitellaro stated he was driving westbound down Palmer Avenue when he noticed the Honda Pilot, driving towards his vehicle without its headlights on. Officer Vitellaro stated [REDACTED] turned southbound into the alley between Leamington and Leclaire Avenues and sped off at an estimated speed of about 35-40 mph. Officer Vitellaro stated that he followed [REDACTED] down the alley, turned westbound at Dickens Street and then northbound on Laramie Avenue.⁵ Officer Vitellaro stated Officer Oeinck reported [REDACTED] driving down the alley to the Office of Emergency Management & Communications ("OEMC") over the radio.

Once on Laramie Avenue, [REDACTED] immediately turned left into a driveway at 2110 N. Laramie Avenue and stopped, facing westbound. Officer Vitellaro explained that he stopped the squad car on an angle, directly facing the Honda Pilot as a precaution so that if an incident did occur, it would be captured on the in-car camera. Officer Vitellaro and Officer Oeinck got out of their vehicle to approach [REDACTED] who remained inside the Honda Pilot. Officer Vitellaro drew his weapon when he exited the squad car and ordered [REDACTED] to get out of his car. Officer Vitellaro stated he believed [REDACTED] observed him in full uniform because [REDACTED] looked right at him, just as he placed the Honda Pilot in reverse at full speed. Officer Vitellaro stated that Officer Oeinck was standing near the front-right side of the squad car when [REDACTED] reversed into him, pinning Officer Oeinck between the squad car and the Honda Pilot. Officer Vitellaro described the Honda Pilot as having spun in a 180 degree turn at a high rate of speed.

Officer Vitellaro jumped out of the way and heard three to four gunshots. Officer Vitellaro then saw Officer Oeinck tap his hands against the hood of the squad car and yell "I'm pinned!! I'm Pinned!!"⁶ Officer Vitellaro got back into the squad car and reversed it to release Officer Oeinck from between the two vehicles. Upon reversing the squad car, Officer Oeinck fell to the ground and the Honda Pilot idled forward and came to a stop. Officer Vitellaro then called for emergency assistance for Officer Oeinck and [REDACTED] Officer Vitellaro stated he had not heard calls over the radio related to [REDACTED] or the Honda Pilot prior to the incident. Officer Vitellaro stated he did not activate lights and sirens because he experienced "tunnel vision"⁷ and was concentrating on keeping his sights on the Honda Pilot.⁸

2. Officer Jesse Oeinck

In an interview with COPA on May 21, 2018, involved Officer Jesse Oeinck,⁹ #12561 stated that on September 10, 2017, he was assigned to Beat 2533R with Officer Vitellaro when he observed the subject, [REDACTED] driving a Honda Pilot facing northwest at the traffic light on Grand and Armitage Avenues without its headlights on. Officer Oeinck stated Officer Vitellaro was the driver of their squad car and that Officer Vitellaro immediately made a U-turn to approach the subject vehicle. Officer Oeinck stated that once Officer Vitellaro completed the U-turn, he noticed the Honda Pilot was no longer at the traffic light, but that the light was still red. Officer

⁵ Review of the in-car camera footage shows that Officer Vitellaro did not activate his emergency lights and sirens; however, the CPD vehicle's spot light was on and aimed at [REDACTED] vehicle.

⁶ Att. #58, minute 23:17

⁷ Att. #58, minute 18:51

⁸ Att. #58

⁹ Officer Oeinck was on an injury on duty leave from September 11, 2017 through December 5, 2017

Oeinck stated that he believed that the Honda Pilot had run the red light and turned down a residential street.

Officer Oeinck stated that Officer Vitellaro headed north on Leclair Avenue and then turned west on Palmer Avenue, when he saw the Honda Pilot headed towards them. Officer Oeinck stated the subject accelerated towards them on Palmer Avenue and Officer Vitellaro slammed on the brakes in fear that the subject was going to hit them. Officer Oeinck stated that as the subject was driving towards them, he shined his spot light into the subject vehicle and could observe that the only occupant was the driver, a white Hispanic male with short hair. Officer Oeinck stated at that moment, he began collecting information of the subject vehicle to report over the radio, such as the description of the vehicle, a description of the subject, the license plate number, and last known direction of travel.¹⁰ Officer Oeinck explained that the emergency lights were never activated, and he was unsure why. The Honda Pilot suddenly turned south down an alley and proceeded at approximately 35 mph. Officer Oeinck stated the Honda Pilot turned west at the end of the alley then north onto Laramie Avenue. Once on Laramie Avenue, the Honda Pilot made a sudden left turn into a driveway.

Officer Oeinck stated Officer Vitellaro stopped their squad car at a 45-degree angle behind the subject. Officer Oeinck exited his vehicle quickly because he did not know if [REDACTED] was going to get out and run. Officer Oeinck added that while he did not have his weapon drawn, he did have his hand on his weapon with the retention¹¹ loosened and ready to draw. Officer Oeinck stated that as he exited the vehicle, he noticed the reverse lights of the Honda Pilot go on. Officer Oeinck explained that he paused for a moment near the front right fender of the squad car and waited for the subject to put the vehicle in park. As Officer Oeinck paused, [REDACTED] suddenly reversed his vehicle into him.

Officer Oeinck stated he turned and attempted to jump onto the hood of his squad car but was pinned by the legs between the Honda Pilot and the squad car. Once struck, Officer Oeinck felt an extreme amount of pain and felt the Honda Pilot pulling him downward. At that moment, Officer Oeinck believed he was going to die if he did not do something to stop the Honda Pilot. Officer Oeinck was facing the squad car, then he looked over his shoulder, saw an outline of the subject, lined up his weapon as best as he could, and then fired at [REDACTED] through the front passenger side of the Honda Pilot with his left hand.

Officer Oeinck believed he shot three to four (3-4) times but later learned he shot four to five (4-5) times. Officer Oeinck stated that after discharging his firearm he no longer felt that he was being pulled down by the Honda Pilot, but that he was still pinned between the two vehicles. Officer Oeinck banged on the hood of the squad car and Officer Vitellaro reversed the squad car, releasing Officer Oeinck. Officer Oeinck attempted to run to the other side of the squad car but collapsed on the ground. Officer Oeinck was transported to Illinois Masonic Hospital for medical treatment.¹²

¹⁰ Att. #49, Event Query Report reflects that a description of the driver (now known as [REDACTED]) was reported to OEMC as well as the subject vehicle (Silver Honda Pilot) before reporting shots fired and the location of the incident (2110 Laramie).

¹¹ The term "retention" refers to the locking mechanism on the gun holster, which keeps the weapon in place.

¹² Att. #97

Civilian Witness Interviews**1.** [REDACTED]

In an **Electronically Recorded Interview (ERI) with CPD Detective Hector Matias #20897, on September 10, 2017,** [REDACTED] a minor, stated she looked out of her front living room window when she witnessed a CPD vehicle pursuing a truck which she recognized as the Honda Pilot belonging to her mother. [REDACTED] stated her older brother, [REDACTED] drove the Honda Pilot into the driveway alongside their home. [REDACTED] stated the pursuing CPD vehicle stopped behind the Honda Pilot and [REDACTED] also momentarily stopped the Honda Pilot in the driveway. [REDACTED] explained that when the police officers began exiting their vehicle, and [REDACTED] suddenly reversed the Honda Pilot and that the Honda Pilot spun around.

[REDACTED] stated when [REDACTED] spun the Honda Pilot around, he smashed one officer with the front end of the Honda Pilot and the CPD vehicle. [REDACTED] stated the officer, known now as Officer Oeinck, was pinned by the legs between both vehicles. [REDACTED] stated she heard Officer Oeinck screaming in pain when he was struck and yelling "Stop! Stop!" to [REDACTED] [REDACTED] stated the Honda Pilot was practically on top of Officer Oeinck and that is when Officer Oeinck fired his weapon approximately four (4) times at [REDACTED]

[REDACTED] stated that after the shots were fired, she watched as the Honda Pilot idly rolled forward and come to a stop. [REDACTED] further stated that additional officers responded to the scene and [REDACTED] was taken out of the vehicle. [REDACTED] stated that she ran outside and confirmed that the driver of the Honda Pilot was her brother, [REDACTED] attempted to approach the scene, but officers did not allow her to get close. [REDACTED] also added that minutes prior to the incident, she overheard a telephone call her parents received from [REDACTED] requesting them to pick him up because he did not have the keys to his vehicle, the Honda Pilot. [REDACTED] explained that her parents left to pick up [REDACTED] and she was awake in the living room waiting for their return when she observed the incident.¹⁴

2. [REDACTED]

On September 10, 2017, IPRA conducted an **interview of** [REDACTED] who resides in the [REDACTED] apartment of [REDACTED] [REDACTED] was home, in his front living room area at the time of the incident. [REDACTED] heard approximately three (3) gun shots followed by a loud crash. [REDACTED] stated he looked out of his front window and saw an officer "pinned down"¹⁵ against the right side of his squad car and another vehicle which was slowly starting to move forward before hitting a parked white vehicle. [REDACTED] explained the officer appeared to have been pinned by the waist.

¹³ Sister of [REDACTED] DOB: [REDACTED] [REDACTED] father provided consent to CPD to conduct interview in the ERI. COPA attempted to interview [REDACTED] but her father would not provide consent to COPA investigators to conduct an interview. COPA R/I Martinez translated the Spanish speaking interview for this report.

¹⁴ Att. #89

¹⁵ Att. #43; minute 2:24 of 10:07

██████████ stated he observed the officer fall over and his partner run to assist and call for help. ██████████ stated he was the only one home and, once he saw responding officers arrive to the scene, he stopped looking out the window.¹⁶

3. ██████████

On September 10, 2017, IPRA conducted an interview of ██████████ who resides in the ██████████ apartment of ██████████. ██████████ was home, watching television in his bedroom on the date of the incident when he heard “an altercation”¹⁷ with unintelligible loud voices followed by gunshots. ██████████ stated when he looked out of his front living room window, he saw a man on the ground holding something and scooting on the ground, yelling “Oh it hurts! Oh, it hurts!”¹⁸, while an officer ran over to the man and called for backup. ██████████ also saw the Honda slowly move forward, as if it were in neutral, toward a white vehicle parked on the street. ██████████ added that responding officers arrived and rushed to the aid of the driver of the Honda and placed him on the ground. ██████████ stated paramedics arrived on the scene shortly after.¹⁹

b. Digital Evidence

Officers Vitellaro and Oeinck’s in-car camera from September 10, 2017, depicts the officers on routine patrol driving eastbound on Grand and Leamington Avenues. As the officers approach Grand and Leclaire Avenues, a silver Honda Pilot is seen at the light on Grand and Armitage Avenues, facing northwest on Grand Avenue, without its headlights on. The officers make a U-turn on Grand and Leclaire Avenues, begin driving west on Grand Avenue then north on Leclaire Avenue. The officers continue driving north on Leclaire Avenue then turn west on Palmer Avenue, where the same Honda Pilot is observed heading east on Palmer Avenue.

The Honda Pilot appears to drive directly towards Officers Vitellaro and Oeinck’s vehicle, and the CPD vehicle’s spotlight is shined towards the Honda Pilot. The Honda Pilot quickly turns south down an alley and appears to begin traveling at a high rate of speed. Officers Vitellaro and Oeinck follow the Honda Pilot down the alley as well, still shining the spot light into the Honda Pilot.

The Honda Pilot turns west on Dickens Avenue then north on Laramie Avenue before suddenly turning west into a driveway at ██████████ and coming to a stop. Officer Vitellaro stops the CPD vehicle facing northwest on Laramie Avenue, directly facing the Honda Pilot in the driveway. The Honda Pilot abruptly reverses into the CPD vehicle, striking the front right side of the CPD vehicle. Upon impact, the video also shows Officer Oeinck’s hand hit the front hood of the CPD vehicle while holding his service weapon.

¹⁶ Att. #43

¹⁷ Att. #41; minute 2:38 of 14:51

¹⁸ Att. #41; minute 3:56 of 14:51

¹⁹ Att. #41

The Honda Pilot continues in reverse turning the vehicle from facing west on Laramie Avenue to facing east on Laramie Avenue. The in-car camera video also depicts what appears to be Officer Oeinck being struck and pinned between the front passenger side of the Honda Pilot and the front right corner of the CPD vehicle. Officer Oeinck is then seen using his left hand, over his right shoulder, to shoot into the Honda Pilot. Officer Oeinck then taps on the hood of the CPD vehicle with his right hand, appearing to prompt Officer Vitellaro to reverse and release him from between the two vehicles. The Honda Pilot slowly rolls forward and out of the frame of the video and Officer Oeinck collapses to the ground in front of the CPD vehicle. Responding officers quickly arrive and begin securing the scene.²⁰

Evidence Technician (ET) photographs of the scene on September 10, 2017, were taken. In the photographs, the Honda Pilot has several dents near the front right corner and the passenger side of the vehicle and what appears to be a bullet hole in the driver's side, rear passenger door. Photos were taken of a lodged bullet in the front passenger door of the Honda and the shattered glass inside of the vehicle.

The photographs taken of Officers Vitellaro and Oeinck's CPD vehicle show several dents. Additional photographs were taken inside of the [REDACTED] living room located at [REDACTED] where [REDACTED] witnessed the incident. Photographs were also taken inside of the [REDACTED] and [REDACTED] living rooms located at [REDACTED] where [REDACTED] and [REDACTED] witnessed the incident.

Photographs were also taken of Officer Vitellaro and Officer Oeinck. The photographs of Officer Oeinck show injuries he sustained from the incident.²¹

c. **Physical Evidence**

The **Medical Examiner Report** #ME2017-04242, detailed the results of [REDACTED] autopsy which was performed on September 11, 2017, by Doctor Stephanie Powers. [REDACTED] injuries included four (4) gunshot wounds. [REDACTED] was found to have a Blood Alcohol Concentration (BAC) of 0.165 at his time of death. The medical examiner also recovered two (2) fired bullets from [REDACTED] body. One projectile was recovered from his anterior mediastinum and the second projectile from the left side of the back. The cause of death was determined as multiple gunshot wounds and the manner of death was homicide.²²

The **Medical Records for Officer Oeinck** detailed the injuries that Officer Oeinck sustained and the treatment he received at Advocate Illinois Masonic Medical Center. According to the medical records, Officer Oeinck was treated for a "crush injury" and his injuries included bilateral shin and knee pain. Officer Oeinck was treated by Dr. Jacqueline Rusinak and discharged with an ace wrap on his right knee and prescribed pain medication.²³

²⁰ Att. #59

²¹ Att. #45

²² Att. #66

²³ Att. #87

The **Crime Scene Processing Report #347422** documents five bullet casings were found and recovered at the scene.²⁴ All of the recovered casings were 9mm Luger. The first expended shell casing was recovered from the street pavement near the curb at 2110 N. Laramie. The second was recovered from the street pavement, just under the front driver's side bumper of the CPD vehicle. The third was recovered from the street pavement, just under the front passenger side door of the CPD vehicle. The fourth was recovered from the passenger side windshield wiper blade of the CPD vehicle. The fifth was recovered from the driver's side windshield wiper housing of the CPD vehicle.²⁵

d. Documentary Evidence

The Office of Emergency Management and Communications **Event Query Report #1725300689** indicates that Officer Oeinck provided a physical description of a male, Hispanic with short black hair, as well as the description of a silver Honda Pilot to dispatch. The report also indicates that Officer Vitellaro reported shots fired by police to dispatch.²⁶

The **OEMC transmission** from Beat 2533R reported a "car driving erratically"²⁷ and not stopping for police. The reporting officer provided a description of the vehicle (Silver Honda Pilot) and its direction of travel as well as a description of the driver. The reporting officer also confirmed traveling behind the silver Honda Pilot before suddenly reporting "shots fired by police."²⁸

An officer then reported his partner had been hit by a vehicle but did not specify which vehicle. The OEMC dispatcher confirmed with Beat 2533R that the offender was "down" and advised that two ambulances were in route to the scene.

The **Original Incident Case Report and Tactical Response Report for RD #JA425451** documents that on September 10, 2017, at approximately 12:50 a.m. the offender, [REDACTED] struck Officer Oeinck with his vehicle, pinning Officer Oeinck between [REDACTED] vehicle and the marked squad car.²⁹

The **Traffic Crash Report for RD #JA425575** documents that on September 10, 2017, at approximately 12:50 a.m., [REDACTED] backed his vehicle into Officer Oeinck causing him to be pinned between the police vehicle and the offending vehicle. The traffic crash report further indicates that this incident caused damage to the right front and right front fender of the police vehicle.³⁰

²⁴ During the processing of Officer Oeinck's weapon (Att. #27), it was reported that his duty weapon (Glock 17, 9mm) contained a total of twelve (12) unfired rounds and has a capacity of seventeen (17; 16 in the magazine and 1 in the chamber).

²⁵ Att. #99

²⁶ Att. #49

²⁷ Att. #60; minute 1:29 of 1:01:11

²⁸ Att. #60; minute 2:22 of 1:01:11

²⁹ Att. #3, Att. #4

³⁰ Att. #16

The **Major Incident Notification Report** documents [REDACTED] struck Officer Oeinck with his vehicle, and Officer Oeinck discharged his weapon fatally wounding [REDACTED]³¹

Illinois State Police (ISP) Forensic Science Laboratory Reports document the examination of the recovered ballistic evidence in comparison to the firearm belonging to Officer Oeinck. It was determined that the two (2) recovered fired bullets (recovered by the medical examiner) were 9mm/38 class caliber and exhibited a right-hand twist. The fired bullets are consistent with having six land and groove impressions and possible polygonal rifling. Furthermore, the two (2) recovered fired bullets could not be identified or eliminated as having been fired from the same firearm. Therefore, they could not be identified as having been fired from Officer Oeinck's firearm.

Officer Oeinck's Glock 17, Gen 4, 9mm semi-automatic pistol; Serial Number YYU775, was received operable and test fired. The firearm has rifling characteristics of six polygonal lands and grooves with a right-hand twist.³²

VI. ANALYSIS

a. Legal Standard

1. Deadly Force

The applicable Chicago Police Department's General Order is 03-02-03, II,³³ which states: A sworn member is justified in using force likely to cause death or great bodily harm only when he or she reasonably believes that such force is necessary:

1. to prevent death or great bodily harm to the sworn member or to another person, or;
2. to prevent an arrest from being defeated by resistance or escape and the sworn member reasonably believes that the person to be arrested:
 - a. has committed or has attempted to commit a forcible felony which involves the infliction, threatened infliction, or threatened use of physical force likely to cause death or great bodily harm or;
 - b. is attempting to escape by use of a deadly weapon or;
otherwise indicates that he will endanger human life or inflict great bodily harm unless arrested without delay.

Additionally, General Order G03-02-03 Deadly Force, Section III, (E) applies. This section of General Order G03-02-03 prohibits Department members from firing at or into a moving vehicle when the vehicle is the only force used against the sworn member or another person. Finally, General Order 03-02-03, Section IV, titled "Affirmation of Protection of Life Policy" states that

³¹ Att. #113

³² Atts. #74, 75

³³ This report references the version of General Order 03-02-03 II in effect on the date of the incident. The Department subsequently amended its use of force directives.

“[s]worn members will not unreasonably endanger themselves or another person to conform to the restrictions of this directive.”

Determinations regarding the potential use of excessive force in the course of an arrest, investigatory stop, or other seizure are properly analyzed under the Fourth Amendment’s objective reasonableness standard. The question is whether the officer’s actions are objectively reasonable in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. *Graham v. Connor*, 490 U.S. 386, 397 (1989); see *Estate of Phillips v. City of Milwaukee*, 123 F.3d 586, 592 (7th Cir. 2003). The following factors are instructive in making the determination of whether an officer’s use of force is reasonable: (1) “the severity of the crime at issue;” (2) “whether the suspect poses an immediate threat to the safety of the officers or others;” and (3) “whether he is actively resisting arrest or attempting to evade arrest by flight.” *Graham*, 490 U.S. at 396 (citing *Tennessee v. Garner*, 471 U.S. 1, 8-9 (1985)). The analysis of the reasonableness of an officer’s actions must be grounded in the perspective of “a reasonable officer on the scene, rather than with the 20/20 vision of hindsight” and “allow for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” *Plumhoff v. Rickard*, 134 S. Ct. 2012 (2014) (internal quotations and citation omitted). The analysis must take into account the totality of the circumstances confronting the officer, rather than just one or two factors. *Plumhoff*, 134 S. Ct. at 2020; see also *Scott v. Edinburg*, 346 F.3d 752, 756 (7th Cir. 2003).

2. Preponderance of the Evidence

The standard of proof in administrative cases investigated by COPA is a preponderance of the evidence. A preponderance of evidence can be described as evidence that makes it more likely than not that the alleged misconduct took place. See *Avery v. State Farm Mutual Automobile Insurance Co.*, 216 Ill. 2d 100, 191 (2005) (a proposition is proved by a preponderance of the evidence when it has found to be more probably true than not). If the evidence gathered in an investigation establishes that it is more likely that the misconduct occurred than that it did not occur, even if by a narrow margin, then the standard of proof has been met.³⁴

b. Legal Analysis

The evidence demonstrates that Officer Oeinck discharged his firearm five (5) times into the Honda Pilot and at [REDACTED]. The evidence demonstrates that Officer Oeinck’s actions were objectively reasonable in light of the facts and circumstances confronting him.

1. Officer Oeinck reasonably believed that deadly force was necessary to prevent [REDACTED] from causing death or great bodily harm to himself

³⁴ In criminal cases the standard of proof is beyond a reasonable doubt, which is a significantly higher evidentiary standard than the preponderance of the evidence standard that applies to COPA’s administrative findings. Furthermore, COPA may rely on the compelled statement of Officer Oeinck in its analysis which would be inadmissible in a criminal case. See *Garrity v. New Jersey*, 385 U.S. 493 (1967).

There is a preponderance of evidence showing that Officer Oeinck reasonably believed that deadly force was necessary to prevent [REDACTED] from causing death or great bodily harm to himself. Officer Oeinck's statement to COPA investigators was materially corroborated by Officer Vitellaro's statement to IPRA investigators, [REDACTED] statement to IPRA investigators, A [REDACTED] statement to IPRA investigators, [REDACTED] statement to CPD officers, the In-Car Camera Footage, and the physical evidence. The evidence clearly demonstrates that the Honda Pilot reversed rapidly striking Officer Oeinck and that Officer Oeinck was pinned between the Honda Pilot and his CPD vehicle. Furthermore, the evidence demonstrates that the Honda Pilot continued to reverse while Officer Oeinck was pinned between the Honda Pilot and his CPD vehicle. Officer Oeinck credibly explained that he felt the Honda Pilot pulling him downward as it continued to reverse with his legs pinned and that he believed the Honda Pilot would kill him unless he immediately stopped the vehicle by discharging his firearm. There is no evidence that Officer Oeinck had any other realistic or viable alternative to stop the Honda Pilot other than by discharging his firearm at the driver, [REDACTED]. Under the totality of the circumstances, it was objectively reasonable for Officer Oeinck to believe that the use of deadly force was necessary to prevent his own death or great bodily injury.

2. [REDACTED] Vehicle was the Only Force Used Against Officer Oeinck

There is no evidence that [REDACTED] possessed a firearm or any other weapon during the incident. Thus, the evidence demonstrates that the only force [REDACTED] used against Officer Oeinck was the Honda Pilot he was driving.

3. Conforming to the General Order G03-02-03(III)(E) prohibition on Firing at or Into a Moving Vehicle Would Have Unreasonably Endangered Officer Oeinck

CPD General Order 03-02-03 must be interpreted sequentially and as a whole. Section III of General Order 03-02-03 unambiguously and explicitly prohibits officers from "[f]iring at or into a moving vehicle when the vehicle is the only force used against the sworn member or another person."³⁵ In other words, even when the use of deadly force is otherwise justified and permitted pursuant to Section II of General Order 03-02-03, Section III still prohibits officers from firing at or into a moving vehicle when the vehicle itself is the only force used against the officer or another person. Finally, Section IV of General Order 03-02-03 provides that officers shall not *unreasonably* endanger themselves or another person in order to comply with the prohibitions contained in Section III.³⁶ In other words, CPD officers do not have to comply with Section III of General Order 03-02-03's prohibitions when the failure to use their firearm would unreasonably endanger the officer or another person.

The exception to the prohibition on firing into moving vehicles contained in Section IV of General Order 03-02-03 must be read in context of General 03-02-03 as a whole.³⁷ Unlike Section

³⁵ General Order 03-02-03(III)(E).

³⁶ *Id.*

³⁷ See *Kraft, Inc. v. Edgar*, 138 Ill. 2d 178, 188 (1990) ("[I]n ascertaining the meaning of a statute, the statute should be read as a whole with all relevant parts considered."). Courts apply the same rules of construction to administrative rules and regulations as they do to statutes. *Hetzer v. State Police Merit Board*, 49 Ill. App. 3d 1045, 1047 (1977).

II which permits the use of deadly force when the officer *reasonably* believes deadly force is necessary to prevent death or great bodily harm to the sworn member or to another person, Section IV applies only when the officer's failure to use deadly force would *unreasonably* endanger the officer or a third party.³⁸ This inverted phrasing is not accidental and it is a tenant of statutory interpretation that "[e]ach word, clause, and sentence should be given effect so as not to be rendered superfluous." *Chicago Teacher's Union, Local No. 1. v. Board of Education of the City of Chicago*, 2012 IL 112566, ¶ 15. Furthermore, the Superintendent specifically modified General Order 03-02-03 to remove language that permitted officers to fire into a moving vehicle simply to prevent death or seriously bodily injury to an officer or another person.³⁹

To apply the exception to the prohibition on firing at or into a moving vehicle broadly would make the prohibition entirely meaningless. The use of a vehicle as force inevitably puts officers and civilians at risk of death or great bodily harm. The exception would swallow the rule. COPA will not interpret General Order 03-02-03 to make the prohibition on firing at or into a moving vehicle superfluous.⁴⁰ Read in context, the exception applies narrowly to cases where specific, unusual facts and circumstances demonstrate that complying with the prohibition would *unreasonably* endanger the officer or another person.

Nonetheless, the situation that confronted Officer Oeinck is a case where specific, unusual facts and circumstances demonstrate that Officer Oeinck would have unreasonably endangered himself by not firing into [REDACTED] vehicle.

First, Officer Oeinck had no realistic possibility of moving out of the way of [REDACTED] vehicle or finding protective cover. The evidence demonstrates that the Honda Pilot reversed at a high rate of speed and that Officer Oeinck did not have the opportunity or time to move out of the way. Officer Oeinck credibly stated that he attempted to jump onto the hood of his police vehicle, but that he was unable to do so prior to being hit. Although Officer Oeinck is not clearly visible in the in-car camera footage immediately prior to being struck, the footage reflects that Officer Oeinck's upper body was on the hood of his squad car after the Honda Pilot struck him. However, Officer Oeinck could not move out of the way of the Honda Pilot as it continued to reverse at a high rate of speed because his legs were pinned between the Honda Pilot and his CPD vehicle. In other words, at the time Officer Oeinck discharged his firearm, he was physically trapped.

Second, Officer Oeinck had to make a split-second judgment under circumstances that were particularly tense, uncertain, and rapidly evolving. There is no evidence to demonstrate that [REDACTED] was in the process of stopping or even slowing down at the time Officer Oeinck discharged his firearm. Indeed, all the evidence demonstrates that [REDACTED] was continuing to attempt to escape in a reckless fashion and at a high rate of speed until Officer Oeinck discharged his firearm at [REDACTED]

³⁸ Notably, Section IV also does not include any language that tracks the second prong of Section II which permits officers to use deadly force to prevent an arrest from being defeated by resistance or escape under specified circumstances.

³⁹ Compare CPD General Order 03-02-03 (effective date 10 February 2015) to CPD General Order 03-02-03 (effective date 1 October 2002).

⁴⁰ See *Kraft, Inc.*, 138 Ill. 2d at 188 ("A statute should be construed so that no word or phrase is rendered superfluous or meaningless.").

For these reasons, the specific, unique circumstances that confronted Officer Oeinck justified Officer Oeinck firing into the Honda Pilot at [REDACTED] despite the general prohibition contained in General Order 03-02-03. Importantly, Officer Oeinck quickly stopped firing after the Honda Pilot ceased moving (i.e. the Honda Pilot no longer posed a threat of death or great bodily injury) as required by CPD General Order 03-02-03. Furthermore, Officer Oeinck knew that [REDACTED] the driver of the Honda Pilot, was the only occupant of the Honda Pilot at the time he discharged his firearm. Therefore, Officer Oeinck's use of deadly force did not put other civilians at risk.

Accordingly, Officer Oeinck's use of deadly force was objectively reasonable and complied with CPD policy.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

Officer	Allegation	Finding
Officer Oeinck	No allegation of misconduct	Use of deadly force was within CPD policy.

Approved:


Sydney Roberts
Chief Administrator

10/23/18
Date

Appendix A

Assigned Investigative Staff

Squad#:	1
Major Case Specialist:	Norelis Martinez
Acting Supervising Investigator:	Chantall Morley
Deputy Chief Administrator:	Andrea Kersten